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REMARKS/ARGUMENTS

Claim Rejections under 35 USC §102

On page 2 of the Office Action, the Examiner rejected Claims 25-29 as being anticipated by Kawakatsu. The Examiner stated on page 2 of the Office Action that Kawakatsu discloses varying the starting force and the prime pulse according to engine coolant temperature and battery state of charge and cites column 11, lines 42-68 and column 12, lines 1-20 of Kawakatsu. The Examiner has interpreted these paragraphs incorrectly. Kawakatsu merely discloses the existence of a temperature sensor signal (ET) and illuminating a display lamp (elements 71) when the engine temperature is high, as disclosed in column 11 lines 42-68. With reference to column 12, lines 1-20, the Examiner should not confuse detecting motor generator temperature with the detection of engine coolant temperature. Kawakatsu does not disclose varying the degree of electrical power to drive said vehicle based on the engine coolant temperature as claimed in the present invention.

If the Examiner relies on personal knowledge that the apparatus of the present invention is obvious, Applicants respectfully request support for this assertion in the form of an affidavit that shall be subject to contradiction or explanation by the affidavits of the Applicants and other persons under 37 CFR 1.104(d)(2).

Conclusion

The entire Final Office Action dated September 30, 2004 has been carefully reviewed, and this response is submitted as being fully responsive thereto. In view of the preceding remarks, Applicants respectfully submit that Claims 25-30 are in condition for allowance and respectfully request such action at the Examiner's earliest convenience. If the Examiner believes that personal contact would be advantageous to the disposition of this case, she is requested to call the undersigned at her earliest convenience.

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If for some reason a fee needs to be paid as well as one-month extension, please charge
Deposit Account No. 07-0960 for the fees, which may be due.

Respectfully submitted,



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